

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

**vs.**

DELORES KNIGHT, et al

## Defendants

• • • • •

Case No. 1:15-CR-222

**JUDGE DONALD C. NUGENT**

## STIPULATIONS

The United States of America, through its undersigned attorneys, and the defendant, through his undersigned attorney, hereby agree and stipulate to the following factual and evidentiary matters:

1. If called as witnesses, representatives of the respective physicians, hospitals, insurance companies, businesses and banks would testify that the documents they provided were true and accurate copies of the documents they purport to be within the meaning of Rules 803, 901, and/or 902 of the Federal Rules of Evidence. The parties further stipulate that the exhibits produced from those records are business records of their respective entities, were created contemporaneous with the events recorded therein, were created by someone familiar with the events recorded therein, were maintained in the ordinary course of their business, and are thus admissible in evidence:

- a. Government's Exhibit #100—Just Like Familee's Medicaid Provider Agreement
- b. Government's Exhibit #101—Just Like Familee II's PASSPORT Application and Provider Agreement
- c. Government's Exhibit #102—Just Like Familee's Medicare Application (2006)
- d. Government's Exhibit #103—Just Like Familee's Medicare Application (2012)
- e. Government's Exhibit #104—Just Like Familee's U.S. Department of Veteran's Affairs Applications
- f. Government's Exhibit #105—Elegance's Medicare Application (2/20/14)
- g. Government's Exhibit #106—Elegance's Medicare Application (3/15/14)
- h. Government's Exhibit #107—Elegance's Medicare Application (faxed 4/25/14)
- i. Government's Exhibit #108—Elegance EFT Agreement
- j. Government's Exhibit #109—Palmetto GBA Letter re: Elegance's Application
- k. Government's Exhibit #110—Elegance Contract with Accreditation Commission for Health Care (ACHC)
- l. Government's Exhibit #111—JLF III Corporation & Board Documents
- m. Government's Exhibit #112—JLF II Corporation & Board Documents
- n. Government's Exhibit #113—GNC Corporation & Board Documents
- o. Government's Exhibit #114—Elegance Corporation & Board Documents
- p. Government's Exhibit #115—Medicare Certification Letter (12/11/2007)
- q. Government's Exhibit #208—Medicare Training-Hawaii (7/2012)
- r. Government's Exhibit #209—Medicare Training-Texas (3/2011)
- s. Government's Exhibit #211—CareAnywhere Order
- t. Government's Exhibit #212—CareAnywhere Contract Plan
- u. Government's Exhibit #213—CareAnywhere Welcome & Training Schedule
- v. Government's Exhibit #214-236—CareAnywhere Correspondence Records (Emails & Meeting Agendas/Minutes)
- w. Government's Exhibit #300-306—Palmetto Correspondence Records
- x. Government's Exhibit #321—Letter re: Medicare suspension
- y. Government's Exhibit #322—Letter re: Medicaid suspension
- z. Government's Exhibit #323—ACHC Survey of Elegance (7/29/14-7/31/14)
- aa. Government's Exhibit #324—ACHC Survey of Elegance (10/28/14-10/30/14)
- bb. Government's Exhibit #325—ACHC Survey of Elegance (2/3/15-2/5/15)
- cc. Government's Exhibit #326—ACHC Letter denying Elegance's accreditation
- dd. Government's Exhibit #327—Rhino Bill records
- ee. Government's Exhibit #328—Ohio Department of Medicaid Remittance Advice
- ff. Government's Exhibit #329—Ohio Office of Budget and Management Warrant Journal
- gg. Government's Exhibit #330—JLF CAP to Palmetto
- hh. Government's Exhibit #331—V.A. Billing Records
- ii. Government's Exhibit #332—Ohio Department of Health Reviews
- jj. Government's Exhibit #411—Summa Health Hospital records re: patient D.E.
- kk. Government's Exhibit #412—Judson Park Medical records re: patient M.S.
- ll. Government's Exhibit #413—Cleveland Clinic Hospital records re: patient E.P.

- mm. Government's Exhibit #414—Cleveland Clinic Hospital records re: patient R.J.
- nn. Government's Exhibit #415—V.A. Patient File re: L.N.
- oo. Government's Exhibits #600-633—VisionsSky – JLF Emails
- pp. Government's Exhibit #702—Elegance's Office Lease with Stile Realty commercial LLC
- qq. Government's Exhibit #703—Elegance's VisionsSky Corp Software Agreement
- rr. Government's Exhibit #900—Theresa Seawright's Exclusion Notice from Office of Inspector General for the US Department of Health and Human Services
- ss. Government's Exhibit #901—Theresa Seawright's Reinstatement notice from the Office of Inspector General
- tt. Government's Exhibit #902—VisionsSky Emails re: Teresa Seawright
- uu. Government's Exhibit #1000—Huntington National Bank Just Like Familee II's Account ending in #2662
- vv. Government's Exhibit #1001—Huntington National Bank Just Like Familee III's Account ending in #2646
- ww. Government's Exhibit #1002—Huntington National Bank D. Knight's Account ending in #6142
- xx. Government's Exhibit #1003—Huntington National Bank D. Knight's Account ending in #5123
- yy. Government's Exhibit #1004—Huntington National Bank D. Knight's Account ending in #2659
- zz. Government's Exhibit #1005—RBS Citizens N.A. dba Charter One GNC Nursing's Account ending in #5088
- aaa. Government's Exhibit #1006—PSE Credit Union T. Adams' Member # ending in #5528
- bbb. Government's Exhibit #1007—New York Community Bank T. Adams' Account ending in #0320
- ccc. Government's Exhibit #1008—U.S. Bank Accounts ending in #7580 & #0176
- ddd. Government's Exhibit #1009—Drees Homes records re: 1048 Morning Glory
- eee. Government's Exhibit #1010—Drees Homes records re: 7915 Ridgetop Drive
- fff. Government's Exhibit #1011—First American Title Insurance Company records re: 1048 Morning Glory Dr.
- ggg. Government's Exhibit #1012—First American Title Insurance Company records re: 7915 Ridgetop Dr.
- hhh. Government's Exhibit #1013—R.G. Thomas Landscape and Design, Inc. records re: 1048 Morning Glory Dr.
- iii. Government's Exhibit #1014—R.G. Thomas Landscape and Design, Inc. records re: 7915 Ridgetop Drive
- jjj. Government's Exhibit #1015—Audi Willoughby purchase records re: 2013 Audi A7
- kkk. Government's Exhibit #1016—Deed for 1048 Morning Glory Dr.
- lll. Government's Exhibit #1017—Deed for 7915 Ridgetop Dr.

mmm. Government's Exhibit #1018—ABS Payroll Services, Inc. records re: JLF II  
nnn. Government's Exhibit #1019—ABS Payroll Services, Inc. records re: JLF III  
ooo. Government's Exhibit #1020—ABS Payroll Services, Inc. records re: GNC  
Nursing

2. In the case of Just Like Familee II and Just Like Familee III, hospital and physician patient records, the parties also stipulate that patient statements documented in Just Like Familee's patient records, including, hospital or physician's file are also admissible pursuant to Federal Rule of Evidence 803(4) as statements made for the purpose of medical diagnosis or treatment.
3. The parties agree to stipulate to the authenticity and chain of custody of paper and electronic documents, including emails, seized from Just Like Familee's three offices located at: 8972 Darrow Road, Suites A301 and A302, Twinsburg, Ohio; 2000 Lee Road, Suite 20, Cleveland Heights, Ohio; and 7519 Mentor Avenue, Suite A114, Mentor, Ohio. Those items are marked as Government's Exhibits 206 through 210, 237 through 284, 400 through 410, 416 through 432, the 500 and 600 series, 902 and 903. Defendants stipulate and agree that they will not require custodial witnesses from the Federal Bureau of Investigation or Health and Human Services, Office of Inspector General, or the Ohio Attorney General's Office, Medicaid Fraud Control Unit, to provide in court testimony regarding the chain of custody for these exhibits.
4. The parties agree to stipulate to the authenticity and chain of custody of paper and electronic documents, including emails, seized from Elegance's office located at: 839 East Market St., Suite 122, Akron, Ohio. Those items are marked as Government's Exhibits 700 through 707. Defendants stipulate and agree that they will not require custodial witnesses

from the Health and Human Services, Office of Inspector General or Internal Revenue Service to provide in court testimony regarding the chain of custody for these exhibits.

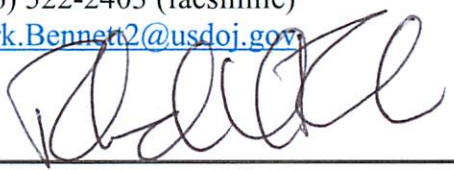
5. The parties stipulate and agree that Delores Knight incorporated Just Like Familee II on or about March 1, 2005, and incorporated Just Like Familee III on or about April 27, 2006. Just Like Familee II and III were corporations organized and existing under the laws of the State of Ohio that provided home health services, including nursing, homemaker, and personal care services to elderly and disabled clients in their homes.
6. The parties stipulate and agree that Just Like Familee II and III were Medicaid providers.
7. The parties stipulate and agree that Just Like Familee III was a Medicare provider.
8. The parties stipulate and agree that Just Like Familee III was a U.S. Department of Veteran's Affairs provider.
9. The parties stipulate and agree that Just Like Familee II operated in order to bill the PASSPORT program, a Medicaid waiver program administered by the Ohio Department of Aging.
10. The parties stipulate and agree that Just Like Familee III operated in order to bill Medicaid, Medicare, the U.S. Department of Veteran's Affairs, and private insurance programs.
11. The parties stipulate and agree that the regulations provided in Exhibits 200 through 204 are true and accurate, and represent the law in effect during the time period of the indictment.
12. The parties stipulate and agree that the entirety of the records relating to Government's Exhibit 327, the Rhino Bill records are available, but due to the large size of the records, only relevant selections have been submitted as exhibits.

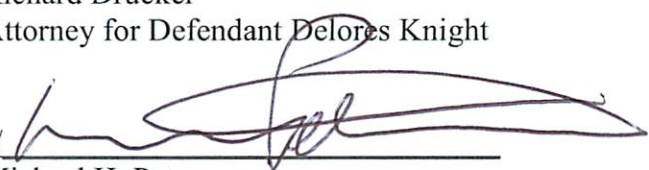
13. The parties stipulate and agree that the entirety of the records relating to Government's exhibit 328, the Remittance Advice Statements (provided by the Ohio Department of Medicaid) are available, but due to the large size of the records, only relevant selections have been submitted as exhibits.
14. The parties stipulate and agree that the entirety of the records relating to Government's exhibit 329, the Warrant Journal (provided by the Ohio Office of Budget Management) are available, but due to the size of the records, only relevant selections have been submitted as exhibits.
15. The parties stipulate and agree that the summaries presented in items marked as Government's exhibits 311 through 318 are admissible pursuant to Federal Rule of Evidence 1006 as summaries to prove the content of voluminous writings. The originals are available as Government exhibits 327, 328, and 329.
16. The parties stipulate and agree that the summary presented in item marked as Government's exhibit 320 is admissible pursuant to Federal Rule of Evidence 1006 as a summary to prove the content of voluminous writings. The data is based on original data provided by U.S. Department of Veteran's Affairs, Medicare and Medicaid billing records.
17. The parties stipulate and agree that the summaries presented in items marked as Government's exhibits 1021 through 1024 are admissible pursuant to Federal Rule of Evidence 1006 as a summary to prove the content of voluminous writings. The originals are available as Government's exhibits 1000, and 1001.

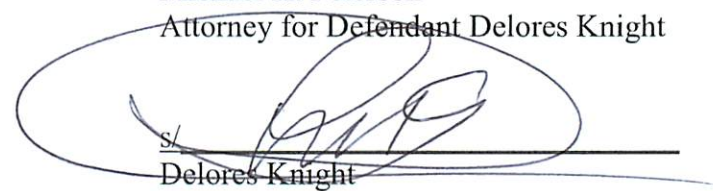
Respectfully submitted,

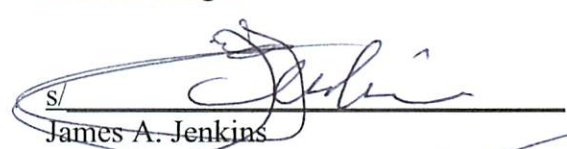
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